

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

TERESA BUCK

PLAINTIFF

V.

Civil No. 06-6034

VICKIE GRIFFITH and
ST. JOSEPH'S MERCY HEALTH CENTER

DEFENDANTS

O R D E R

Currently before the Court are Defendants' Motion for Sanctions and Brief in Support (Docs. 21-22) and Plaintiff's Response and Brief in Support (Docs. 23-24). Defendants seek sanctions against Plaintiff for failing to timely disclose two tape-recorded conversations between Plaintiff and two employees of St. Joseph's concerning Plaintiff's suspension and subsequent termination. Plaintiff's counsel advises that he notified defense counsel immediately upon learning of the existence of the audiotapes from Plaintiff and promptly provided them to defense counsel. Further, Plaintiff has agreed not to use the audiotapes at trial, and Defendants have not demonstrated any prejudice from Plaintiff's untimely disclosure of the audiotapes. Accordingly, the Court finds that Defendants' motion should be DENIED.

IT IS SO ORDERED this 26th day of July 2007.

/s/ Robert T. Dawson

Honorable Robert T. Dawson
United States District Judge